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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/811,349

03/26/2004

Andreas Steinert

Mo-7105D/BOR-4

1565

34947

7590

09/19/2006

LANXESS CORPORATION  
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PITTSBURGH, PA 15275-1112

EXAMINER

ANTHONY, JOSEPH DAVID

ART UNIT

PAPER NUMBER

1714

DATE MAILED: 09/19/2006

Please find below and/or attached an Office communication concerning this application or proceeding.



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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
10/811,349	03/26/2004	STEINEAT et al.	Mo-7105D/BOR-4

EXAMINER	
JOSEPH D. ANTHONY	

ART UNIT	PAPER
1714	20060912

DATE MAILED:

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Commissioner for Patents

Attached is a Notice of Non-Responsive Amendment with no additional time period set for applicant's response outside the maximum SIX (6) MONTH Statutory period from the Office Action mailed 03/01/2006.

Joseph D. Anthony  
Primary Examiner  
Art Unit: 1714

9/14/06

***Response to Non-Responsive Amendment***

1. The reply filed on 08/01/2006 is not fully responsive to the prior Office Action because applicant changed the statutory class of invention from: "An anti-skinning agent comprising" (which was examined in the office action mailed 03/01/2006) to: "A process for preventing the skinning of a coating composition comprising". Applicant's said amendment to the claims was clearly deliberate since applicant used the shift in the statutory class of invention to argue, in the "REMARKS" section of the amendment, for the patentability of the claims over the applied prior-art references. If applicant wants to claim a "process", then applicant must file a divisional type application. Since the period for reply set forth in the prior Office action has expired, this application will become abandoned unless applicant corrects the deficiency and obtains an extension of time under 37 CFR 1.136(a).

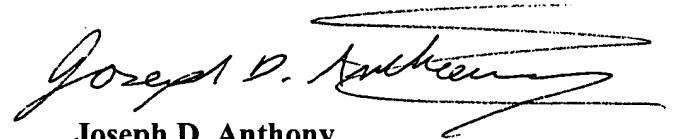
The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. In no case may an applicant reply outside the SIX (6) MONTH statutory period or obtain an extension for more than FIVE (5) MONTHS beyond the date for reply set forth in an Office action. A fully responsive reply must be timely filed to avoid abandonment of this application.

***Examiner Information***

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Joseph D. Anthony whose telephone number

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is (571) 272-1117. If attempts to reach the examiner are unsuccessful, the examiner's supervisor, Vasu Jagannathan, can be reached on (571) 272-1119. The centralized FAX machine number is (571) 273-8300. All other papers received by FAX will be treated as Official communications and cannot be immediately handled by the Examiner.

A handwritten signature in black ink, appearing to read "Joseph D. Anthony", with a long horizontal flourish extending to the right.

**Joseph D. Anthony**  
**Primary Patent Examiner**  
**Art Unit 1714**

9/14/06